

Black
Signature of Sponsor

AMEND Senate Bill No. 1616

House Bill No. 956*

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 4, is amended by inserting the following as a new, appropriately designated section:

(a) Beginning January 1, 2007, childhood immunizations included in the most current Recommended Childhood Immunization Schedule published by the Centers for Disease Control Advisory Committee on Immunization Practices and administered to children younger than eight (8) years of age in Tennessee shall not contain any mercury preservatives, including but not limited to thimerosal. The federal Food and Drug Administration designation as thimerosal free or "trace only" shall comply with this section.

(b) Influenza vaccines, and vaccines that are not included on the most current ACIP Recommended Childhood Immunization Schedule, are exempted from this section.

(c) Vaccines that are designated as thimerosal free or "trace only" by the federal Food and Drug Administration shall be administered to women who know they are pregnant when available, as determined by their doctor.

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 7, Part 26, is amended by inserting the following as a new, appropriately designated section:

(a) Notwithstanding any other provision of law to the contrary, any individual, franchise, blanket, or group health insurance policy, medical service plan contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society, health maintenance organization, preferred provider organization, or managed care organization that provides medical expense insurance that offers coverage for vaccinations shall offer and make available coverage under any

such policy, contract, or plan for vaccines that are labeled by the federal Food and Drug Administration as being thimerosal free or “trace only” at the same percentage rate of customary charges as vaccines that contain mercury-based preservatives.

(b) The provisions of this section are applicable to all health benefit policies, programs, or contracts which are offered by commercial insurance companies, nonprofit insurance companies, health maintenance organizations, preferred provider organizations, and managed care organizations, and which are entered into, delivered, issued for delivery, amended, or renewed after January 1, 2007.

(c) Nothing in this section shall be construed to prohibit any insurer from providing medical benefits greater than or more favorable to the insured than the benefits established pursuant to this section.

(d) The provisions of this section shall not apply to contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or governmental plans, including the TennCare program.

SECTION 3. This act shall take effect January 1, 2007, the public welfare requiring it.